

REMARKS

In the Office Action mailed on June 16, 2006, the Examiner rejected claims 70-87 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,802,077 to Schlarb.

In response, Applicant has amended claims 70, 76, 78 and 82. No new matter has been added.

Applicant has amended independent claims 70, 76 and 82 to include the first and third time-limited portions of the entire information content partially overlapping the second time-limited portion of the entire information content. This is shown in Figure 3, as an example, where G3 partially overlaps G1 and G5 partially overlaps both G1 and G3. If the content being consumed is a movie, G1 and G3 in Figure 3 represent two groups consuming the same amount of that movie (e.g., the last forty-five minutes of the movie). Similarly, G5 overlaps G3 and G1 so that those groups of user consume the same amount of that movie (e.g., the last thirty minutes of the movie). Thus, the content consumed by group G3 partially overlaps the content consumed by group G1 and the content consumed by G5 partially overlaps the content consumed by groups G1 and G3.

In making the rejection, the Examiner equates an entire movie catalog with the claimed "entire information content" and one movie from that catalog as a "time limited portion of the entire information content." The movies in Schlarb's system, however, do not overlap. Thus, referring to Figure 11, if the entire movie catalog is represented by the graph going from 8:00 to 12:15 and if Event A is equivalent to the claimed "second time-limited portion" and Event B is equivalent to the claimed "third time-limited portion," then Schlarb cannot anticipate claims 70, 76 and 78 because events A and B do not overlap.

App. Ser. No.: 09/802,421

Atty. Doc. No.: D02478

Claims not specifically mentioned are allowable due to their dependence on an allowed base claim.

CONCLUSION

No fees are believed due for this response beyond the Petition for a 2 Month Extension of Time. However, the Office is authorized to charge any additional fees or underpayments of fees (including fees for petitions for extensions of time) under 37 C.F.R. 1.16 and 1.17 to account number 502117. Any overpayments should be credited to the same account.

Applicant respectfully requests reconsideration of the present application, withdrawal of the rejections made in the last Office Action and the issuance of a Notice of Allowance. The Applicant's representative can be reached at the below telephone number if the Examiner has any questions.

Respectfully submitted,

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____November 16, 2006____
Date